

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

LAND ACQUISITION – Decretal Charges – Anantapur – Uravakonda MandalMylarampalli Village – S.No. 167 –D etc., Exe. 3.20 acres acquired for foreshore submersion of PABR Dam – Award No.3/85 dt. 26.02.85 Orders passed by the Lower Court in **O.P. No.71/85** Dated 05.06.89 - A.S. No.410/1993 dt.26.10.2005 – Payment of enhanced Compensation – Submission of proposals – Sanction of Rs. **7,38,454/-** - Requested – Reg.

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IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 810

Dated: 21-10-2009

Read the following:

1. From the District Collector, Ananthapur Rc.No.G2/1513/2009, Dated:02.06.2009.
2. From the CCLA, Hyderabad Lr.No. G4/779/2009, Dated 06.07. 2009.

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**O R D E R:**

In the references Ist read above, the C.C.L.A. A.P. Hyderabad and District Collector, Ananthapur has reported that the the Special Deputy Collector, LA, HLC, Anantapur has acquired Land for an extent of 3.20 Acres in award No.3/85, dated 26.2.85 in Mylarampalli village, Uravakonda Mandal for the purpose of formation of foreshore submersion of PABR Dam. The compensation amount of Rs. 1, 00,277/- was paid to the awardees. Aggrieved the market value fixed by the Land Acquisition Officer, the claimants received the compensation under protest to refer the matter to Civil Court U/s. 18 of the LA Act in **OP.No. 71/85**. The Civil Court in its orders dated 05.06.1989 in **OP.No. 71/85** enhanced the land value in S.No. 167 – D1 extent 2.20 acres of land in betel leaf garden value from **Rs. 66,000/- to Rs. 88,000/-** and also directed to pay Solatium at 30% and also to pay Addl. Mardet Value at 12% p.a., on the capitalized value of Rs. 88,000/- + Rs. 4,,625/- for the period between 7.3.80 to 28.2.83 and to pay interest at 9% p.a. on Rs. 70,625/-. (66000/- + 4,625/-) for a period of one year. ie., from 28.02.83 and at 15% p.a. on the said amount from 28.02.84 till the date of deposit after deducting the interest already paid and also to pay interest at the rate of 9% pa., on the enhanced amount of Rs. 2,20,000/- from 28.02.83 till the date of deposit and the petitioner filed an appeal before the Hon'ble High Court of AP Hyderabad against the lower court judgment, as the enhancement was 33% and the Hon'ble High Court has granted conditional stay to deposit ½ of the decretal amount. Accordingly, the Land Acquisition Officer deposited an amount of Rs. 52,556/- in the Civil Court. Subsequently, the Hon'ble High Court of AP Hyderabad passed final orders on 26.10.2005 in AS No. 410/1993 by multiplying the annual income of Rs. 10,000/- with multiplier of 10, to Rs. 1,00,000/- per acre and enhancing the compensation **from Rs. 88,000/- to Rs .2,20,000/-** with entitlement to additional market value, interest on Solatium as provided under the statute. In this case the enhancement is 233% which is beyond the purview of DLLMC.

2. Government after carefully examined the matter hereby sanction for an amount of Rs. 7,38,454/- (RUPEES SEVEN LAKHS THIRTY EIGHT THOUSANDS FOUR HUNDRED FIFTY FOUR ONLY) towards final decretal  
(P.T.O)

charges in respect of O.P. No. 71/85 pertaining to foreshore submersion of PABR Dam, Mylarampalli Village, Uravakonda Mandal, Ananthapur District . subject to verification whether the reference under section 18(1) of the LA Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Govt. /CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Govt, from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Dist. Collector, Ananthapur should verify the calculations made by the RDO (LAO), once again thoroughly with references to the decree and instructions issued by the Govt/ CCLA, Hyderabad. on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in the Lower Court.

3. The District Collector, Ananthapur is directed to follow the directions issued by the Hon'ble High Court in W.P.No. 2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.71/85 for avoiding intervention of the middlemen.

4. The expenditure sanctioned above, may be debited under detailed Head of Account 4701-COL – M.I.M.H-101-Surface Water- G.H. (11)-Normal State Plan- SH (12) - C&R of MI Schemes-530-Major Works-532-Lands (charged).

5. This order issue with the concurrence of Finance (W & P) Department vide their U.O.No. 21345/807/Exp. PW/09, Dated: 18.8.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,  
SECRETARY TO GOVERNMENT

To

The Secretary to the C.C.L.A. A.P.Hyderabad

The District Collector, Ananthapur

The Chief Engineer, Irrigation, Hyderabad

The Special Deputy Collector,(LA),HLC, Ananthapur

The Revenue Divisional Officer, Ananthapur

The Superintending Engineer, I & CAD, Ananthapur

The Director of Works and Accounts, Hyderabad

Copy to

P.S.to Minister ( M & MI)

Law Department/Finance(W&P) Dept

C.No. 17277/L.A.II/A2/2009

S.F./S.C.

//FORWARDED BY ORDER//

SECTION OFFICER